

444

**DATE:** July 2, 2001

**GENERAL INFORMATION:**

**HISTORY:** Converted from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

**SPECIFIC INFORMATION:**

**UTILITIES:** Land application will be used for waste from the new facility. Well water will be used.

**TOPOGRAPHY:** Very flat, draining to the north (Salt Creek)

**TRAFFIC ANALYSIS:** N. 148<sup>th</sup> and Mill Road are gravel county roads. 141<sup>st</sup> and Waverly roads are paved, one-half mile to the east and one mile south. Hwy 6 is about one and one-half miles south of this facility.

**PUBLIC SERVICE:** This is in the Waverly Rural Fire District.

**REGIONAL ISSUES:** none

**ENVIRONMENTAL CONCERNS:** Proper confinement operation and surface drainage to Salt Creek 1/4 mile to the north. The soil rating is 2.6 on a scale of 1-10 ,where 1-4 is prime agriculture land. This is prime soil. No Flood plain is located on this site but exists across Mill Road to the north.

**AESTHETIC CONSIDERATIONS:** NA

**ALTERNATIVE USES:** NA

**ANALYSIS:**

1. This request is to expand an existing special permit for a Commercial Feedlot, under the provisions of Article 13.001(32),"Commercial feedlot facilities for livestock and poultry shall be allowed by special permit in those parts of the AG zoning district designated as 'Agriculture' on the Future County Land Use Map." .
2. This is proposed to expand an existing turkey operation that is approved by the State for up to 77,000 head of turkeys, by an additional 40,000 head. This would add two 50 x 1,000 foot buildings; containing 18,400 finishing turkeys, 19,400 brooders and 29,600 head in the grower portion of the buildings.
3. The State Department of Environmental Quality has determined that a livestock waste control facility is not required.
4. Waste is proposed to be recycled, used in the buildings for bedding and applied to cropland of the owners and neighbors.

5. The Health Department notes that this is a sufficient distance from development with respect to concerns about odors. The location of manure applications is requested.
6. This is shown as Agriculture in the Comprehensive Plan; a feedlot is an agricultural use.
7. The only residence near the facility is located about ½ mile to the east.
8. The County Engineer and Building and Safety have no objection to the application.
9. This is one and one-half miles north of Waverly. No comments have been received from Waverly at the time of this writing.

**STAFF RECOMMENDATION:**

**Conditional Approval**

**CONDITIONS:**

**GENERAL CONDITIONS:**

1. This approval permits a commercial feedlot of three buildings, one at 60' x 400' and two at 50' x 1000' for the purpose of turkey production. Up to 117,000 head, as certified by the Nebraska State Department of Environmental Quality.
2. This facility shall receive and maintain approval of the Nebraska State Department of Environmental Quality (NDEQ).
3. This facility shall comply with the Lancaster County Air Pollution Resolution 5069, Section 11, Air pollution nuisance prohibited and Section 14 Odor nuisance prohibited, as enforced by the Lancaster County Health Department.
4. Best Management practices shall be followed for manure handling.
5. Soil testing shall be conducted on a regular basis to assure proper agronomic application rates of the waste are followed.
6. The construction plans shall comply with the approved plans.

**STANDARD CONDITIONS:**

7. The following conditions are applicable to all requests:

- 7.1 Before occupying this feedlot, all development and construction shall have been completed in compliance with the approved plans.
- 7.2 Before occupying this feedlot, the City-County Health Department shall have approved the water and waste water systems for this use.
- 7.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 7.4 The County Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

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Michael V. DeKalb AICP  
Planner

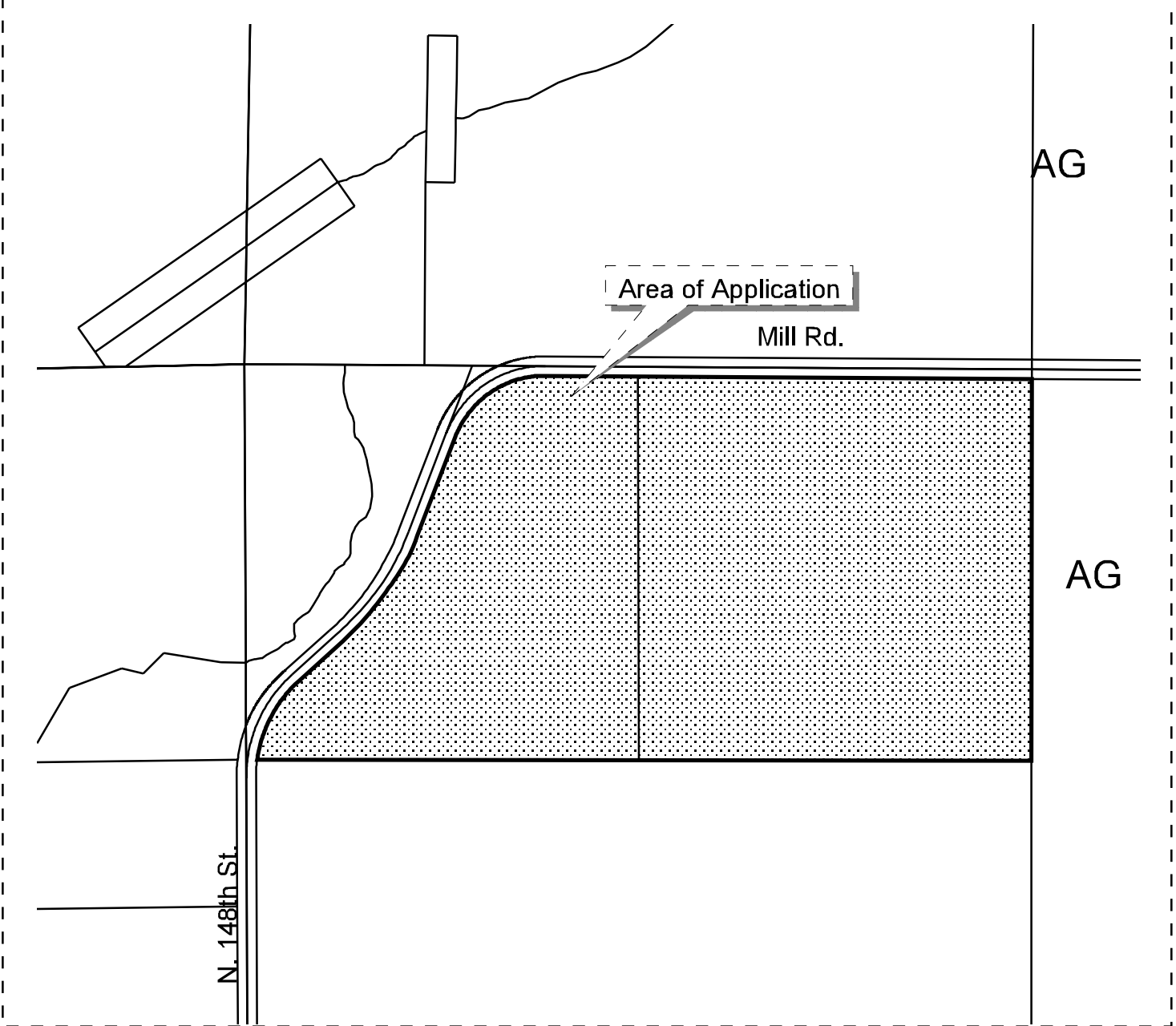


**County Special Permit #8A**  
**N. 148th and Mill Rd.**



Photograph Date: 1999

Lincoln City - Lancaster County Planning Dept.

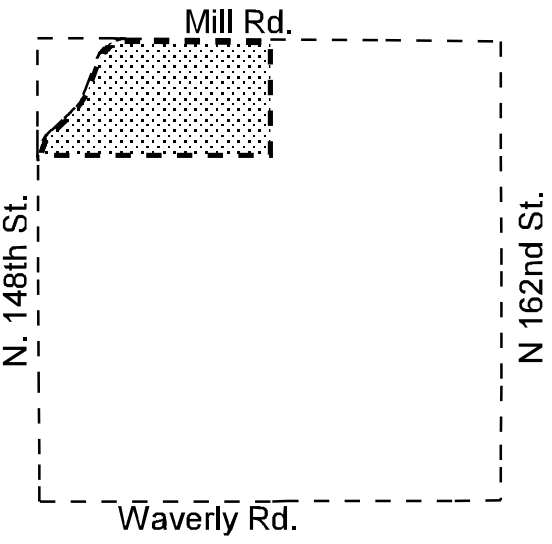
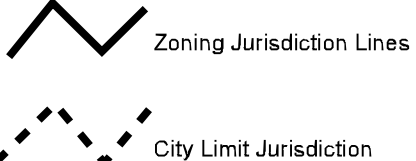


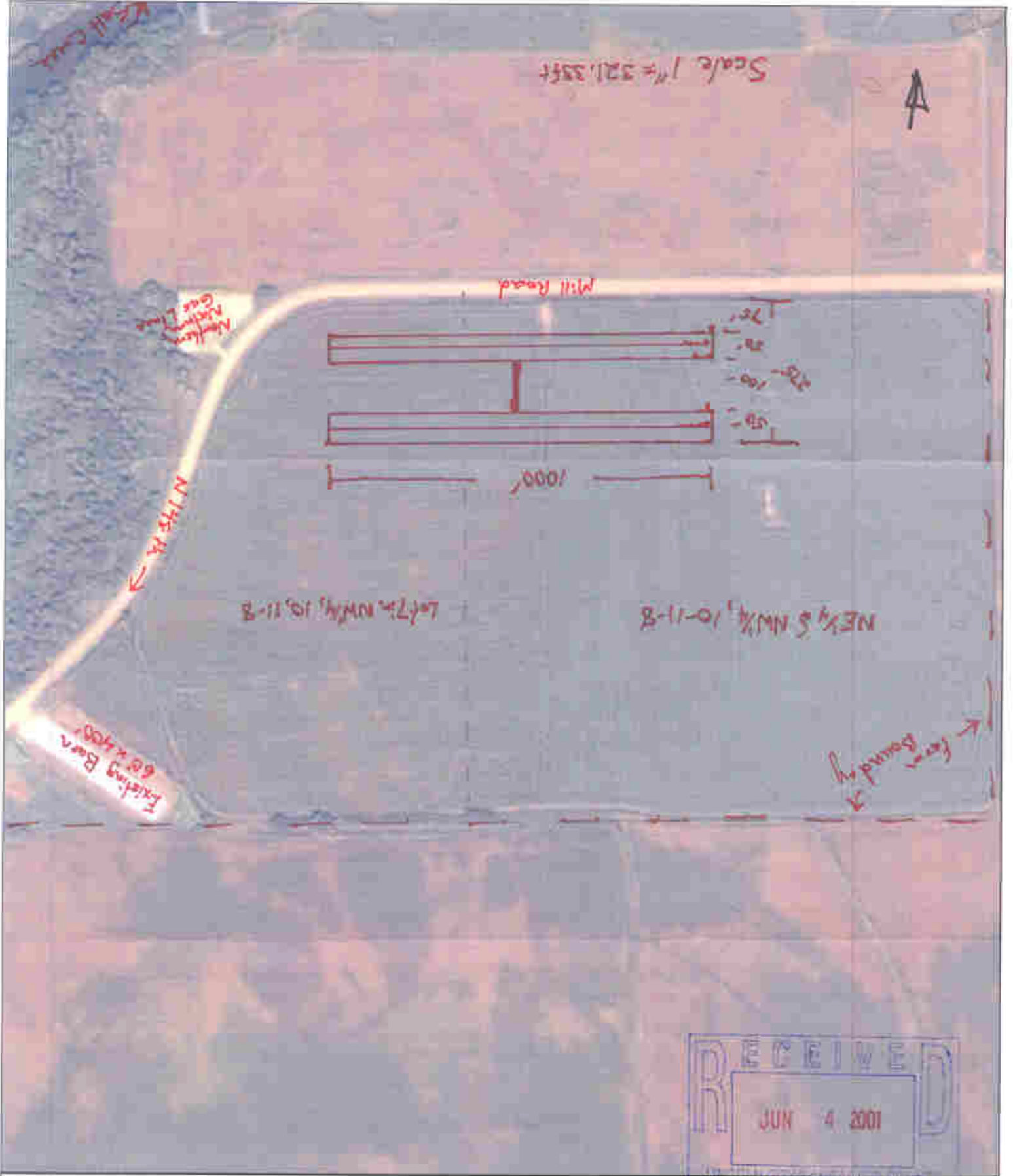
# **County Special Permit #8A** **N. 148th and Mill Rd.**

## **Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
 Sec. 10 T11N R8E





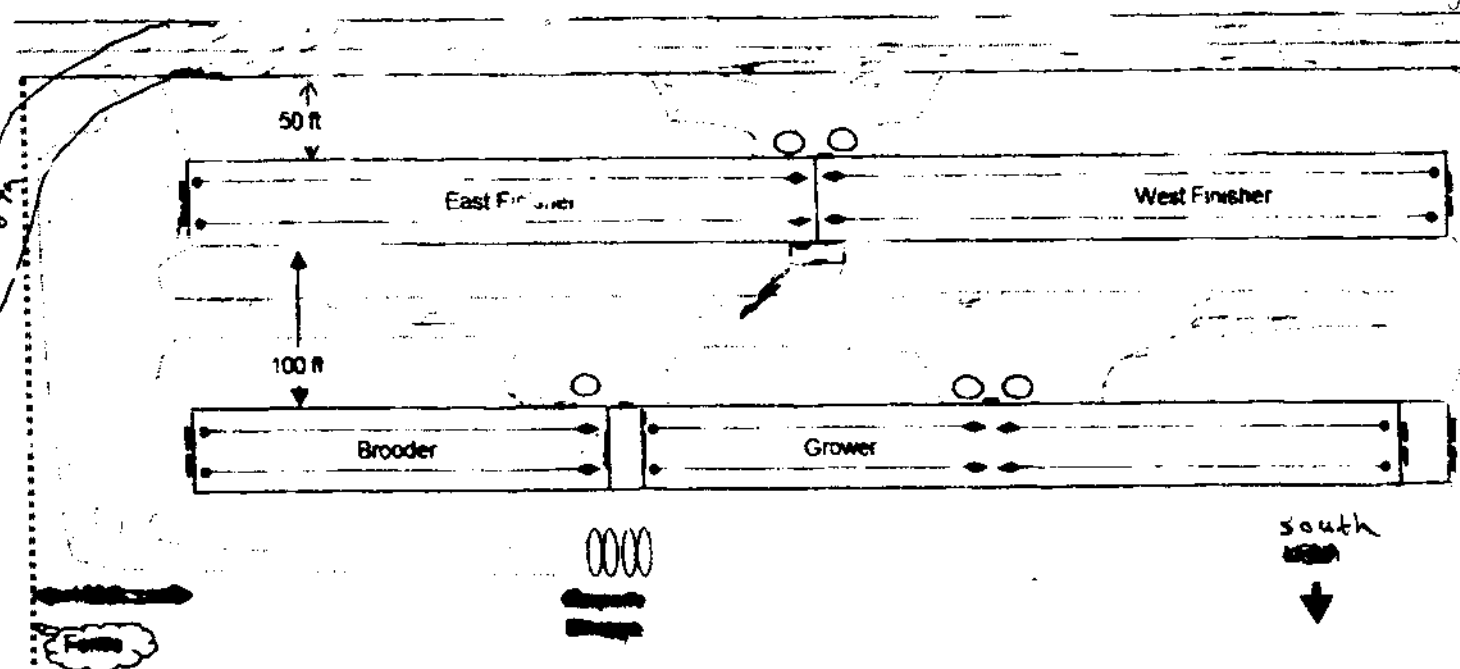
Map of 10 11 8

North

# Building Plan

2 Barns - 50' x 1000'  
Steel truss on concrete foundation  
Steel siding and Roof  
Animals always inside

Mill  
Dewey Road Turkey Farm



Manure is dry and stays in barn except when loaded for land application.

Facility will employ 2 full time people.

Birds will consume 4000 tons of feed per year - Made at Waverly Farmers Coop.

## Dimensions

East Finisher			
Size	Sq ft Area	Sq ft/Head	
50x500	25,000		
Head Start	9,215	2.71	
Head Finish	9,000	2.78	

West finisher			
Size	Sq ft Area	Sq ft/Head	
50x500	25,000		
	9,215	2.71	
	9,000	2.78	

Total		
	Sq ft/Head	
50,000		
18,433	2.71	
18,003	2.78	

Brooder			
Size	Sq ft Area	Sq ft/Head	
50x320	16,000		
Head Start	19,400	0.76	
Head Finish	18,820	0.79	

Grower (Intermediate)			
Size	Sq ft Area	Sq ft/Head	
50x680	34,000		
	18,820	1.57	
	18,430	1.61	

23#/hd	Pounds	
	414,064	
	44,400	
	94,400	

64 Smaller Stakes 1.9 M.H. BTL  
30000/30000

20 Smaller Stakes 1.9 M.H. BTL  
30000/30000

Poss. Dewey Labs

4

North

RECEIVED
JUN 4 2001
LINCOLN CO. IOWA
4/20/2001



# Bevans Enterprises, Inc

P. O. Box 250  
Waverly, Nebraska 68462

402-786-2175  
402-432-0039  
Fax – 402-786-2175

June 20, 2001

To: Mike Dekalb

From: Bill Bevans

Re: Manure Handling Plan in Connection with  
Application for Special Permit

## **Nature of Product:**

Turkey manure is essentially a dry product. Turkeys, like other birds, do not excrete urine as a waste product. This results in a product that can stay in the barns and actually is used for bedding. Periodically wood shavings are added and the "caked" or solid chunks of manure are removed. This leaves a soft, dry, absorbent material that is a very satisfactory bedding. Because of the low moisture content, the odor is rarely noticeable even to persons not used to being around turkeys.

## **Manure Removal:**

Most of the manure generated by the turkeys is left in the barn. Between flocks, the brooder house (where the new baby turkeys are started) may be completely cleaned out or only the "caked" manure is removed and the shavings are "recycled". They can be cleaned up and a small amount of new shavings are added to start new turkeys on. Either way, the brooder barn produces very little manure before the birds are moved to a grower barn. Because the material coming out of the brooder barn is a high percentage of wood shavings it is often recycled by adding it to the litter bedding in the grower barns.

The grower barns often go an entire season without any manure being removed. It is "conditioned" by tilling and adding some new shavings or recycled shavings from the brooder barn.

Sometimes some manure is removed between flocks. This is the hard "caked" manure that builds up under the feeders and drinkers.

## **Removal of Manure from Farm**

Whenever manure is removed from turkey barns, it is either applied immediately to the farm ground using a standard manure spreader or temporarily stock piled until it can be spread on our farm or taken away by farmers for application on their farms. Care is taken so that there is no runoff from a manure pile into any water way.

We schedule a break in the production schedule so that most of the manure can be removed at one time in the fall after the harvest of crops is complete. This allows the manure to be applied immediately to fields and avoids long term piling of a large amount of manure.

We do not have enough farm ground to utilize all the manure the operation will produce. However, area farmers have learned that the manure is a valuable source of nutrients and organic matter and are anxious to haul the manure to their farms. We have working models of this plan working very well on our farms now. Additionally, a much larger turkey operation than ours is very successful in removal of manure in this manner. They are able to get area farmers to actually remove the manure from their turkey barns using the farmer's loader, who loads it on the farmer's truck and then the farmer pays a fair price per ton to boot. We hope to emulate that plan in the new facility.

# STATE OF NEBRASKA



Mike Johanns  
Governor

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Suite 400, The Atrium  
1200 'N' Street  
P.O. Box 98922  
Lincoln, Nebraska 68509-8922  
Phone (402) 471-2186

MAR 30 2000

Bill Bevans  
PO Box 250  
Waverly, NE 68462

RE: Waverly, Nebraska  
Inspection for Determination of Livestock Waste Control Facilities  
Bill Bevans Livestock Operation  
SW 1/4, Section 27, Township 11N, Range 08E, Lancaster County

COPY

Dear Mr. Bevans:

In accordance with Title 130, Rules and Regulations Pertaining to Livestock Waste Control, Chapter 2, 003, the above referenced livestock operation was inspected on February 4, 2000, by Jerry Newth from this office, to determine if a livestock waste control facility (LWCF) is required.

As a result of the investigation, a LWCF **will not be required** and no additional permits are necessary if the following conditions are met:

- 1) Maintain at least a 100 foot grass filter strip around any open lot pens.
- 2) Maintain the east terrace.

The NDEQ certifies the above referenced livestock operation for no more than 40,000 turkeys (proposed) and 77,000 turkeys (existing). In the future, should you wish to enlarge your livestock operation by either increasing animal units or open lot area, the NDEQ must be contacted to re-evaluate the need for a LWCF. Please notify the NDEQ if you terminate your livestock operation or if there is a change in ownership.

Proper nutrient management and application practices should be used when land applying livestock waste to ensure protection of surface and ground water. The primary purpose of nutrient management is to achieve the level of nutrients required to grow the planned crop by balancing the nutrients that are already in the soil and being applied from other sources (municipal sludge, commercial fertilizer, etc.) with those that will be applied in the manure. At a minimum, nutrient management should prevent the application of nutrients at rates that will exceed the capacity of the soil and the uptake of nutrients by the planned crops. The application ground and manure should be tested to determine nutrient content. For your own benefit and protection, the NDEQ encourages record keeping for all manure application, soil testing and manure analysis. The primary nutrient of concern is nitrogen; however, phosphorus must also be considered. The NDEQ recognizes there may be a need for temporary stockpiling of the manure.

This shall be done in a location where the potential for runoff to waters of the State does not exist.

A L'WCF may be required in the future if there is (a) runoff which creates a violation of Nebraska Water Quality Standards, or (b) a discharge into waters of the State, or (c) a violation of the Nebraska Environmental Protection Act, or (d) any other substantial change requiring waste control facilities.

Enclosed is a copy of Title 130 for your information. If you have any questions, please contact Jerry Newth at (402) 471-8133.

Sincerely,



for Dennis Heitmann, Supervisor  
Agriculture Section  
Water Quality Division

DH/RH/JN

bev-cone

enclosure

pc: lower platte south nrd  
lancaster county board

# STATE OF NEBRASKA



Mike Johanns  
Governor

June 12, 2001

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Suite 400, The Atrium  
1200 'N' Street  
P.O. Box 98922  
Lincoln, Nebraska 68509-8922  
Phone (402) 471-2186

RECEIPT #  
HOW PAID: Check # 6582  
(Check #, Money Order or Cash)  
AMOUNT RECEIVED: \$50.00  
LATE FEE RECEIVED:  
RECEIVED BY: DB

Bevans Enterprises, Inc.  
PO Box 250  
Waverly, NE 68462

RE: Request for Inspection of Livestock Operation  
NE1/4, NW1/4, Section 10, Township 11N, Range 8E, Lancaster County

This is to acknowledge that the Nebraska Department of Environmental Quality (NDEQ) has received a Request for Inspection of Livestock Operation form, an inspection fee, and, if indicated above, a late fee for the above listed livestock operation on 5/31/01. Your request for inspection and payment of the fee(s) is the first step in complying with the Livestock Waste Management Act (LB1209), §6. You may wish to keep this letter for your records.

Inspections by NDEQ staff of existing operations are being conducted according to the size of the operation, with the larger operations receiving a higher priority. Therefore, we cannot give you an exact time frame in which your operation will be inspected. However, you will be contacted by the Department prior to our visit so you can be present to discuss your operation with the inspector. As a reminder, Nebraska law prohibits any livestock operation, regardless of size, from discharging livestock waste into waters of the State.

Prior to that contact, please notify the Department if your phone number or mailing address changes, so that our information is kept current. In addition, if the ownership of your operation changes, or your operation expands from that indicated on your request form, please notify NDEQ as soon as possible.

If you have any questions, please feel free to call at 402-471-4239

Sincerely,

A handwritten signature in cursive script that reads "Pat Dinslage".

Pat Dinslage, Administrative Assistant  
Agriculture Section, Water Quality Division

COPY

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Mike DeKalb

**DATE:** 06/13/2001

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder  
Jerry Hood

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** Carole Douglas, Acting Director  
EH File  
EH Administration

**SUBJECT:** Turkey Barns SP 8-A

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed special permit 8-A for the turkey barns in the northeast 1/4 of the northwest 1/4 of section 10, township 11, R8 and has noted the following:

- The area appears to be a sufficient distance from any incorporated city or village or any other development with respect to possible odor complaints.
- The only question the LLCHD has regarding this special permit is the statement that the manure will be land applied when finally removed from the barns. Where will the land be located that will receive the land application?

If there are any questions, please call 441-8040.



May 21, 2001

Bill Bevans  
PO Box 250  
Waverly, NE 68462

Re: County Pre-Existing Special Permit

Dear Mr. Bevans:

This Department is in receipt of your request to establish a **Pre-Existing Special Permit** to legally operate a turkey production facility on the property legally described as:

Lot 7 I.T. of the NW1/4 Section 10, Township 11N, Range 8E, Lancaster County Nebraska

Our findings, from the documents you have provided show (1) one 60' x 400' building, which indicate this operation is a pre-existing use, dating prior to October 9, 1979 of the Lancaster County Zoning Regulations.

You are hereby assigned County Pre-Existing Special Permit #8 to operate a poultry production facility from your property in accordance with all Local, State, and Federal regulations.

Should you desire to modify your operation in any manner, an amendment to this permit would be required of you before doing so.

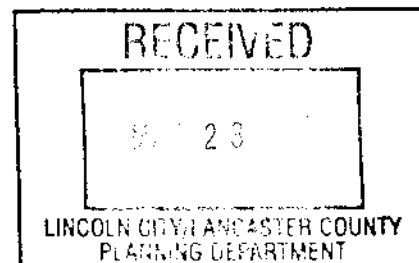
If you have any questions, please contact me at 441-6449.

Sincerely,  
Department of Building and Safety

Dale L. Stertz  
Chief Plans Examiner

pc: Mike Merwick, Director  
Chuck Zimmerman, Building Services Manager  
Mike Dekalb, Planning  
File

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Lancaster

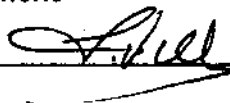
County

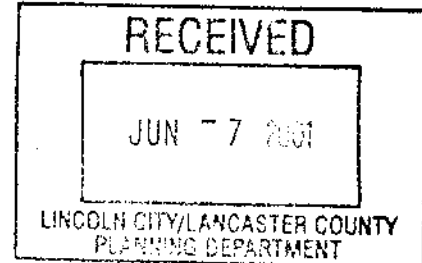
Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL  
COUNTY SURVEYOR

DATE: June 6, 2001  
TO: Mike DeKalb  
Planning Department  
FROM: Larry V. Worrell   
County Surveyor  
SUBJECT: TURKEY BARNS - SPECIAL PERMIT 8-A



Upon review, this office has no direct objections to this submittal subject to obtaining an approved Access Permit. Site plan does not indicate where the drive location is to be.



Rodger P Harris

06/19/2001 02:01 PM

To: Michael V Dekalb/Notes@Notes  
cc: Chuck A Zimmerman/Notes@Notes, Dale L Stertz/Notes@Notes  
Subject: County PESP 8A - Commercial feedlot in part NW 1/4 Sec. 10-11-8,  
N. 148th & Mill Rd.

We have reviewed this proposed expansion of a commercial feedlot use & have the following comments to offer:

1. This site appears to be located within the agricultural designation on the Future County Land Use plan & thus conforms to the location requirement for a special permit for a feedlot use per Art. 4.009 of the 1979 Zoning Resolution of Lancaster County.
2. We have no objection to this special permit.